

# EXHIBIT B

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRIAN WHITAKER, ) Case No. 3:21-cv-07698-VC  
)  
Plaintiff, ) May 31, 2022  
) San Francisco, California  
vs. ) Hearing by Zoom  
)  
PEET'S COFFEE, INC., a Virginia ) Show Cause Hearing  
Corporation, ) Pages 1 - 76  
)  
Defendant. )

BEFORE THE HONORABLE VINCE CHHABRIA  
UNITED STATES DISTRICT COURT JUDGE

APPEARANCES:

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Spokane, Washington 99210  
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Proceedings reported by mechanical stenography; transcript  
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1 Q. (BY MR. BURNS) Sure. If you wanted to buy and drink a cup  
2 of hot chocolate and use one of the patio tables you saw,  
3 couldn't you have positioned your wheelchair parallel to a patio  
4 table and sat your cup of hot chocolate on the table adjacent to  
5 you?

6 A. Yeah, I probably could have, sir, but I'm a quadriplegic  
7 with no core ability at all. So being at a parallel angle is  
8 very difficult for me to have to lean over, grab my drink with  
9 two hands, because I have no finger dexterity whatsoever, and at  
10 that point I'm not enjoying a cup of hot chocolate. I'm not  
11 enjoying the experience at all.

12 Q. In any event, you did not purchase a hot chocolate drink  
13 from Peet's Coffee that day, did you?

14 A. I did not.

15 Q. You did not purchase anything from Peet's Coffee that day,  
16 did you?

17 A. Right.

18 Q. And you did not attempt to purchase anything from Peet's  
19 Coffee that day, did you?

20 A. No, sir.

21 Q. You didn't go inside of the Peet's Coffee SoMa cafe on that  
22 day, right?

23 THE COURT: Mr. Burns, I think he's answered that  
24 question. And, you know, this is really about whether he  
25 intended to return, so could we turn to that topic?

*Whitaker v. Peet's Coffee / Case No. 3:21-cv-07698-VC*  
*Show Cause Hearing / May 31, 2022*  
*BRIAN WHITAKER / Cross by Plaintiff*

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C E R T I F I C A T E

I, CRYSTAL L. HICKS, do hereby certify:

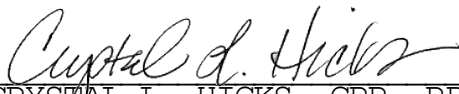
That I am an Official Court Reporter for the United States District Court for the Eastern District of Washington in Spokane, Washington;

That the foregoing proceedings were taken on the date and place as shown on the first page hereto; and

That the foregoing proceedings are a full, true, and accurate transcription of the requested proceedings, duly transcribed by me or under my direction.

I do further certify that I am not a relative of, employee of, or counsel for any of said parties, or otherwise interested in the event of said proceedings;

DATED this 2nd day of June, 2022.

  
CRYSTAL L. HICKS, CRR, RPR  
Washington CCR No. 2955  
Official Court Reporter  
Spokane, Washington